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REMARKS

The present Amendment and Response is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Status of Claims

Claims 1-27 are pending. Claims 1-27 have been rejected. Claims 3, 5, 13-15 and 27 have been cancelled without prejudice to their filing in a divisional or continuation application. Claims 1, 4, 9, 10, 22 and 25 have been amended. Claim 4 has been amended only to alter its dependency. No new matter has been added.

35 U.S.C. § 102 Rejection

The Examiner rejected claims 1-4, 8-14, 18-21 and 25 under 35 U.S.C. § 102(e) as being anticipated by Lazarus (U.S. Published Patent No. 2005/0030944). Applicants respectfully traverse the rejections of claims 1-4, 8-14, 18-21 and 25 under 35 U.S.C. § 102(e) as being anticipated by Lazarus in view of the remarks that follow.

Claim 1, as amended, includes, *inter alia*, "modifying a payload header suppression module if a size of the data item is greater than the data transfer window size".

Each of claims 10 and 22, as amended, includes, *inter alia*, changing a payload header suppression rule if the size of the data item is greater than the data transfer window size.

Lazarus lacks these limitation, and the Examiner does not assert that Lazarus includes these limitations.

On page 8 lines 1-6 of the Office Action, the Examiner asserted that Sugawara (U.S. Patent No. 5,638,360, discussed below) teaches a window size comparator which compares output data with a window value size.

Since the size comparison in Sugawara is not equivalent to the Applicants' claimed determination of whether the size of a data item is greater than the data transfer window size, Sugawara does not supply the elements of claim 1 missing from Lazarus.

Further, since the size comparison in Sugawara is for the purpose of counting packets, one would not look to Sugawara to cure the deficiencies of Lazarus.

The comparison in Sugawara is not for the purpose of modifying a payload header suppression module, but is rather for the purpose of counting cells. Sugawara does not

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compare the size of a data item to the property of a network. One skilled in the art would not look to a system such as Sugawara's that counts cells of a certain size to cure deficiencies of a system such as those of Lazarus, which lacks modifying a payload header suppression module if a size of the data item is greater than the data transfer window size.

Further, the comparison in Sugawara is not a comparison of relative size performed by a method or system changing a payload header suppression module or rule if a size of the data item is *greater* than the data transfer window size, but rather a determination of whether two sizes are *equal*: ("Only when the compared window Sizes [sic] coincide with each other ...", Sugawara, col. 3, l. 67 to Col. 4, l. 1)

Applicants therefore respectfully assert independent claims 1, 10 and 22 are not anticipated by Lazarus and are not made obvious by a combination of Lazarus and Sugawara, since these references, alone or in combination, do not include all the elements of any of claims 1, 10 or 22, and since a combination of these references is inappropriate.

Each of claims 2, 4, 8, 9, 11, 12, 14, 18-21 and 25 depends, directly or indirectly, from one of claims 1, 10 or 22, includes all the limitations of the claim from which it depends, and is therefore likewise allowable.

Claims 3 and 13 have been cancelled. Therefore the rejections of these claims is moot.

Applicants request that the rejection of claims 1-4, 8-14, 18-21 and 25 under 35 U.S.C. § 102(e) as being anticipated by Lazarus be withdrawn.

35 U.S.C. § 103 Rejections

The Examiner rejected claims 6, 7, 16, 17 and 26 under 35 U.S.C. § 103(a) as being unpatentable over Lazarus in view of Geiger et al. (U.S. Patent No. 5,987,022). The Examiner rejected claims 5, 15 and 27 under 35 U.S.C. § 103(a) as being unpatentable over Lazarus in view of Sugawara. The Examiner rejected claims 22 and 23 under 35 U.S.C. § 103(a) as being unpatentable over Lazarus in view of Osler (U.S. Patent 6,038,222). The Examiner rejected claim 24 under 35 U.S.C. § 103(a) as being unpatentable over Lazarus in view of Osler in view of Geiger. Applicants respectfully traverse these rejections.

As discussed above, claims 1, 10 and 25 are allowable over Lazarus. None of Geiger, Sugawara, or Osler cures the deficiencies of Lazarus.

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Each of claims 6, 7, 16, 17, 22, 23, 24, and 26 depends directly from, and includes all the limitations of, one of claims 1, 10 and 25. Therefore claims 6, 7, 16, 17 and 26 are likewise allowable over Lazarus and Geiger.

Claims 5, 15, and 27 have been cancelled.

Applicants request that the rejection of claims 5, 6, 7, 15, 16, 17, 22, 23, 24, 26 and 27 under 35 U.S.C. § 103(a) be withdrawn.

Conclusion

In view of the foregoing amendments and remarks, Applicants assert that the pending claims are allowable. Their favorable reconsideration and allowance is respectfully requested.

Should the Examiner have any questions or comments as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

Except for the fees for the petition to revive, no fees are believed to be due associated with this paper. Fees for a petition for extension of time are not believed to be required, however, if any such fees are due, including but not limited to fees for an extension of time, please charge such fees to deposit account No. 50-3355.

Respectfully submitted,

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